UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/538,353	GEORGESON, SCOTT
	Examiner	Art Unit	
	DAEHO D. SONG	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 June 2005*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-23* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *13 June 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☒ All   b)☐ Some * c)☐ None of:
      1.☒ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *6/20/06*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This is the initial Office Action based on the application number 10538353, filed June 13

, 2005.   Claims 1-23, as originally filed, are currently pending and have been

considered below.   Claims 1,22 and 23 are the independent claims.

Specification

1.   The specification is objected to as failing to provide proper antecedent basis for

the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction

of the following is required: Claim 23 recites a "*computer-readable media*", and yet there

is no mention to it in Specification.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

3.   Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention. Particularly, Claim 11 recites a limitation of "*any step*", and it

is vague and indefinite whether there is an order in processing the steps.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Sivan et

al. (hereinafter Sivan): US Patent No. 6,573,915.

Sivan teaches:

Claim 1. A computer screen capture method consists of the following steps:

a) capturing screen data representative of a selected area, being the whole or part of

said computer screen, at predetermined capture intervals including the capture of the

whole of said selected area of said screen at the beginning of this process (col. 8 lines

33-45: capturing screen data according to capture time frame)*;*

b) comparison of each successive captured screen data with the immediately

preceding captured screen data to determine the area of the screen that changes for

each of said one or more predetermined areas of said selected area (col. 9 lines 20-40:

comparing of each captured frame with the preceding frame to see if there is any

changes);

 c) creation of an event list having an event interval at least equal to or less than the

said predetermined capture interval containing none, one or more entries per interval,

wherein said entries may be one or more of a unique reference to events representing

visual change associated with said captured screen data (col. 11 lines 19-34: creation of

the output stream interleaved with the captured screen data including a pointer/unique

reference that represents changes of the captured screen data);

 d) recreation of previous and successive of said one or more areas of said selected

areas by reference to associated events in said event list (col. 11 lines 40-65:

reconstruction/recreation/playback of screen data of images according to the output

stream);

 e) comparison of recreated previous and successive of said one or more areas to

determine the minimum area of change and storing said minimum area or areas (col. 10

lines 1-10: comparing recreated previous screen area with successive area to

determine the minimum area of change by means of bitmap representation for the

screen area); and

 f) creation of a file containing at least said first whole selected area and said minimum

stored areas, and an event list representing changes over time of said selected area of

a computer screen (col. 1 lines 25-42: creation of a file of the whole selected area and

the stored minimum area including changes for the time period).

Claim 2. A computer screen capture method in accordance to claim 1 wherein between

steps e) and f) there is a further step of: e') comparing minimum stored areas and

discarding multiple copies of said minimum stored areas and maintaining a store of

unique minimum areas and adding to said event list a reference to said unique minimum

areas for each respective associated event interval (col. 11 lines 19-33: maintaining a

store of the pointer that represents the unique minimum area and adding to the event

list while the synchronization takes place).

Claim 3. A computer screen capture method in accordance to claim 1 wherein in

addition to step a) complete representations of said selected area are stored at

predetermined storage intervals (col. 8 lines 33-45: recording of the area at its position).

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Sivan in view of Wall et al. (hereinafter Wall): US Patent No. 6,223,289.

As indicated in the above rejection, Sivan discloses every limitation of Claim 1.

Sivan fails to expressly disclose the position of cursor image with respect to a hot spot.

Wall expressly teaches the position of cursor image with respect to a hot spot, and

specific disclosure of particular claims are as following:

Claim 4. A computer screen capture method in accordance to claim 1 includes the

further step of: a) obtaining cursor image data that is obtained via an application

programming interface call; b) storing said cursor image data regarding said application

programming interface calls and creating a reference to said data in said event list

including the position of said cursor relative to said selected area (col. 21 lines 40-60:

obtaining cursor image and storing it including the position in a selected area by means

of Set Cursor function).

Claim 5. A computer screen capture method in accordance to claim 4 includes the

further step of: i) determining the position of a said cursor by reference to a hot spot and

the position of said hot spot relative to said selected area and associating a event list

entry therewith (col. 21 lines 40-60: the position of the cursor indicating a hot spot).

Claim 6. A computer screen capture method in accordance to claim 4 includes the

further step of: j) storing an image of said cursor (col. 19 lines 45-65: storing an cursor

image).

Claim 7. A computer screen capture method in accordance to claim 6 wherein said cursor image is stored as a transparent bit map image (col. 19 lines 45-65: storing an cursor image as a bitmap image).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the disclosure of Sivan to incorporate with the position of cursor image with respect to a hot spot, as taught by Wall, in order to capture the cursor image with respect to a specific location.

8.   Claims 8-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sivan in view of Mehrotra: US Patent Application Pub. No. 2004/0001544.

As indicated in the above rejection, Sivan discloses every limitation of Claim 1. Sivan fails to expressly disclose the compressing and uncompressing of the files in order to replay the captured screen images.

Mehrotra expressly teaches the compressing and uncompressing of the files in order to replay the captured screen images, and specific disclosure of particular claims are as following:

Claim 8. A computer screen capture method in accordance with claim 1 including the further step: j) compressing said minimum stored areas before communicating said minimum stored areas over a computer network ([0015]: compression of the screen

capture content/area by means of a screen capture encoder).

Claim 9. A computer screen capture method in accordance with claim 1 wherein said

event list is compressed before sending said event list over a computer network ([0018]:

interframe compression among frames relating to the event list).

Claim 10. A computer screen capture method in accordance with claim 1 wherein said

steps are performed on the fly (Claim 12).

Claim 11. A computer screen capture method in accordance with claim 1 wherein any

step following step a) is performed after all storage steps have ceased ([0115]).

Claim 12. A computer screen capture method in accordance with claim 1 further

comprising the step of: k) a user of said computer screen capture method adding one or

more instructional objects to one or more captured screen data (([0107]: adding motion

data/objects to the captured data).

Claim 13. A computer screen capture method in accordance with claim 12 wherein one

or more of said added objects of an image are added using vector representation

([0107]: adding the image data using vector representation).

Claim 14. A computer screen capture method in accordance with claim 12 wherein one

or more of said added objects of audio are added using a compressed audio file ([0059]:

adding a compressed multimedia file).

Claim 15. A computer screen capture method in accordance with claim 12 wherein one

or more of said added objects include a pause that is conditional on the action of the

recipient of said captured screen data ([0096]: stopping of the action on the encoder*).*

Claim 16. A computer screen capture method in accordance with claim 9 wherein said

compressed files are communicated to a WEB server for storage and streaming to a

recipient upon demand ([0065]: streaming through a web browser*).*

Claim 17. A computer screen playback method for playback of a computer screen

captured in accordance with the method of claim 1 comprising the following steps: c)

receiving and uncompressing said compressed files; d) displaying the whole of said

selected area of said computer screen; and e) overlaying on to said display said one or

more minimum areas of change as and when said change occurs in sequence as stored

([0083]-[0084]).

Claim 18. A computer screen playback method in accordance with claim 17 wherein

playback of said captured screen data includes the further step of: f) a user choosing to

replay said captured screen from a predetermined capture interval; g) said playback

steps beginning from said first stored selected area and being displayed to said user

after said predetermined capture interval is reached ([0087]).

Claim 19. A computer screen playback method in accordance with claim 17 wherein playback of said cursor motion replacing step e) with the step of: e') said playback steps beginning from the closest in time complete representation of said stored selected area to said predetermined capture interval ([0087]).

Claim 20. A computer screen playback method in accordance with claim 17 wherein playback of said cursor motion includes the step of: h) interpolating the position of a said cursor for positions between cursor capture intervals; and displaying said cursor on a said overlay more often than the screen is overlay is updated with said minimum areas ([0064]: inter-coded frames with references to other frames).

Claim 21. A computer screen capture method in accordance to claim 20 wherein when said cursor position is interpolated and if the amount of interpolated movement between display positions of said cursor is less than twice the maximum linear dimension of the cursor icon dimension, an area of the current display screen that is less than twice the area of the cursor dimension is stored separately such that successive movement of the cursor between displayed positions uses said separately stored screen area to overlay said then current screen ([0072]: utilizing a separated storage by a virtual buffer).

Accordingly, it would have been obvious to one having ordinary skill in the art at the

time the invention was made to have modified the disclosure of Sivan to incorporate

with the compressing and uncompressing of the files to replay the captured screen

images, as taught by Mehrotra, in order to reduce the bitrate of digital image.

Claims 22 and 23:

The subject matter recited in Claims 22 and 23 corresponds to the subject matter

recited in Claim 1. Thus Sivan discloses every limitation of Claims 22 and 23, as

indicated in the above rejections for Claim 1.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to DAEHO D. SONG whose telephone number is

(571)272-7524. The examiner can normally be reached on Mon-Fri 7:30-5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Doug Hutton can be reached on 5712724137. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. D. S./
Examiner, Art Unit 2176

/William L. Bashore/
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